

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/729,774
Filing Date: December 8, 2003
First Named Inventor: James M. Schreder
Group Art Unit: 2121
Examiner Name: Jennifer L. Norton
Attorney Docket Number: 120 05866US
CUSTOMER NO.: 000128

RCE
JFW

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application. 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. **Previously submitted**

- i. Consider the amendment(s)/Declaration under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____
- iii. Other _____

b. **XXXXXX Enclosed**

- i. **XXXXXX** Amendment/Reply with transmittal
- ii. **XXXXXX** Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS) and PTO-1449
- iv. Other _____

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. **Fees** The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. **XXXXXX** The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.
- i. **XXXXXX** RCE fee (\$790.00) required under 37 C.F.R. § 1.17(e)
- ii. **XXXXXX** Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17) (\$120 – one month)
- iii. **XXXXXX** Other \$200 – One (1) additional independent claim
- b. **XXXXXX** Check in the amount of \$ 1,110.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

Dated: September 25, 2006

10/02/2006 HDEMESS1 00000079 10729774

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON SEPTEMBER 25, 2006.

Theresa Doonan

DATE

Theresa Doonan 9/25/06